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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,063	02/16/2001	Toshihiko Munetsugu	32161US1	4765
116	7590	01/12/2005	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			SHAH, SANJIV	
		ART UNIT	PAPER NUMBER	
			2176	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/785,063	MUNETSUGU ET AL.
	Examiner Sanjiv D. Shah	Art Unit 2176

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 20 September 2004.
- 2a) This action is **FINAL**.                                   2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 29-36 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/10/04
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 29-36 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for plurality of segments representing a scene of media contents and a view point represented by keyword showing contents, scores and linkage information, does not reasonably provide enablement for a data structure portion and attribute portion. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to how the invention commensurate in scope with these claims. Specifically claimed invention claims data structure portion including plurality of segments representing a scene of media contents and attribute portion including viewpoint represented by keyword showing contents, scores and linkage information. However specification does not enable separate data structure portion and attribute portion as claimed.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mauldin et al. (Patent # 5,664, 227).

Regarding claim 29, Mauldin et al. teaches a data processing apparatus comprising input means for inputting context description data (See fig 2, element 18 and 20, wherein video and audio data are input) comprising a data structure portion in which a plurality of segments are described, wherein each of segments represents a scene of media contents constituted by a plurality of scenes (col. 5, lines 10-23, wherein a video data is input comprising plurality of video segments. Also see col. 7, lines 10-15) and an attribute portion including a view point represented by at least one keyword showing contents scenes (See fig 2, element 230 and col. 7, lines 34-36, wherein keywords are taught which describes data in natural language), scores representing degree of contextual importance of each segment based on view point (Col. 7, lines 65-col. 8, lines 15, wherein Mauldin et al teaches keyword identification by determining relative importance by assigning weight that is equivalent to scoring as claimed)

selection means for selecting a segment from the data structure portion on the basis of the viewpoint and/or scores (col. 8, lines 33-38).

Mauldin et al does not specifically teach a link information showing linkage to at least one corresponding segment as claimed. However, Mauldin et al. teaches associating a segment with keyword for retrieval as described in col. 8, lines 16-25. The claimed invention claims link to the associated segment. Creating and associating link is well known in the art. Since segment is associated as taught by Mauldin et al, it would have been obvious for a person with ordinary skill in the art at the time the invention was made to create link to associated segment because it provides flexible option of storing the actual contents at remote storage, which is always desired.

Regarding claim 30, Mauldin teaches the claimed invention of hierarchically describing the segments as described in col. 5, lines 30-35, wherein Mauldin et al. teaches the content based paragraphing for describing the segments based on contents.

Regarding claim 31, Mauldin teaches the claimed invention of supplemental information in attribute as described in col. 5, lines 60-64, wherein color and shape is defined that is equivalent to supplemental attribute information.

Regarding claim 32, Mauldin teaches the media contents comprising video and audio data as shown in fig 2, element 18 and 20.

Regarding claims 33 and 34, Mauldin teaches linking the dominant data (video or audio) to segments is described in col. 8, lines 15-25.

Regarding claims 35 and 36, Mauldin teaches the claimed invention of relating view point (keyword) and scores (weights) to a segment as described in col. 8, lines 1-15.

***Response to Arguments***

6. Applicant's arguments with respect to claims 29-36 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571) 272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sanjiv D. Shah  
Primary Examiner  
Art Unit 2176

S. Shah  
January 10, 2005